

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:04cv92

CARRIE BOGGESS,

Plaintiff,

vs.

JEFF ROPER, individually and in his
official capacity as Program Manager,
Operations Manager, Co-Host of "The
Jeff Roper Show," WSOC Radio Station,
FM 103.7, INFINITY RADIO INC., d/b/a
INFINITY BROADCAST CO., VIACOM,
and CBS RADIO,

Defendants.

ORDER

THIS MATTER is before the Court on the motion of the plaintiff (Doc. No. 120) to certify the summary judgment order (Doc. No. 109) as final, pursuant to Fed. R. Civ. P. 54(b).

This motion was filed while the plaintiff's appeal of the summary judgment order was pending. On April 20, 2007, the United States Court of Appeals for the Fourth Circuit dismissed the appeal. (Doc. No. 125).

IT IS, THEREFORE, ORDERED that the plaintiff's motion is DENIED as moot. This matter will be scheduled for trial by separate order.

Signed: May 8, 2007



Robert J. Conrad, Jr.
Chief United States District Judge

